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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Sutter)

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THE PEOPLE,

Plaintiff and Respondent,

v.

CHRISTOPHER JOHN LANGLEY,

Defendant and Appellant.

C081583

(Super. Ct. No. CRF120531,  
CRF120796)

Appointed counsel for defendant Christopher John Langley asks this court to review the record to determine whether there are any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436 (*Wende*).) Finding no arguable error that would result in a disposition more favorable to defendant, we affirm the judgment.

We provide the following brief description of the facts and procedural history. (See *People v. Kelly* (2006) 40 Cal.4th 106, 110, 124.)

In September 2012, in exchange for dismissing various charges and a stipulated sentence, defendant pleaded no contest to vehicle theft (Veh. Code, § 10851) and

admitted to three prior prison terms. (Case No. CRF120531.) He also pleaded no contest to failing to appear after being released on his own recognizance. (Pen. Code, § 1320, subd. (b)—case No. CRF120796.)

As agreed, the trial court imposed an aggregate six-year eight-month term: three years for vehicle theft, three years for the prior prison terms, and eight months for failing to appear. The court then suspended two years and eight months of the sentence for mandatory supervision.

Three years later, defendant admitted to violating his mandatory supervision by failing to report to probation. Three other allegations were dismissed with a *Harvey* waiver. (*People v. Harvey* (1979) 25 Cal.3d 754.) The court referred the matter to probation, telling defendant: “Probation will come out and talk to you, [defendant]. Do your best to convince them that you’re deserving of another shot on supervision, and then we’ll make some decisions.”

After probation recommended that defendant complete the remainder of his suspended sentence, defendant submitted a statement of mitigation.

On February 8, 2016, the trial court, after considering the probation report and the statement of mitigation, lifted the stay on the suspended portion of defendant’s sentence. It awarded 538 days of credits, leaving defendant with 430 days remaining on his previously imposed term.

Defendant wrote a 12-page letter to the trial court styled as “a petition of appeal to your decision to sentence me to incarceration of the remainder of mandatory supervision.” A subsequent minute order stated: “The Court has read and considered the February 16, 2016[,] letter addressed to Judge Chandler. The Court will be taking no action on the letter.”

Defendant filed a timely appeal.

We appointed counsel to represent defendant on appeal. Counsel filed an opening brief setting forth the facts of the case and requesting that we review the record to

determine whether there are any arguable issues on appeal. (*Wende, supra*, 25 Cal.3d 436.) Defendant was advised of his right to file a supplemental brief within 30 days of the filing of the opening brief. More than 30 days have elapsed, and we have received no communication from defendant.

Having examined the record, we find no arguable error that would result in a disposition more favorable to defendant.

### **DISPOSITION**

The judgment is affirmed.

/S/

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RENNER, J.

We concur:

/S/

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MAURO, Acting P. J.

/S/

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DUARTE, J.